

**Ela Township Board Meeting**  
**Thursday, December 9, 2004**  
**7:30p.m.**  
**Village of Lake Zurich Board Room**  
**70 East Main Street**  
**Lake Zurich, Ill. 60047**  
**Approved 1-19-05**

**1. Call To Order**

Trustee Sullivan called the Ela Township Board Meeting to order at 7:30p.m. as Supervisor Tinerella was running late (arrived at 7:37p.m.).

**2. Roll Call**

Present: Trustees Black, Burch, and Sullivan were present at the meeting. Supervisor Tinerella was late and Trustee Knudtson was absent.

At this time Trustee Sullivan wanted to welcome everyone and introduce James Lumsden from American Legion Post #964.

Mr. Lumsden led the audience in the Pledge of Allegiance.

Mr. Lumsden had a few comments to say about the new Ela Township Veteran Memorial Park that Ela Township was in the process of acquiring.

1. He thanked the Board for acquiring the land for the new Ela Township Veteran Memorial Park and as a realtor in the area he realized how valuable land was.
2. He is representing the veterans of this area and the V.F.W post 11020.

Thanking the board again for naming it in honor of all veterans in the area.

**4. Public Comment**

**Kelly Sheehan** representing Michael Hilt the president of Lake Zurich Industrial Council read a letter that was sent to Ela Township Board. Will enclose the letter to the back of the minutes.

Trustee Burch commented on the letter:

1. He called Mr. Hilt ten minutes after receiving this letter to discuss it.
2. The letter is full of errors.
3. There has been no discussion of building anything on the Schuh property and Trustee Burch had no idea of where he got that information.
4. After calling Mr. Hilt's office four times he finally returned Trustee Burch call. He was at the bottom of the stairs at his office and by the time he got to the phone no one was there and this is not being good neighbors.
5. The property is not in Lake Zurich.
6. Anybody who takes a beginner class in city planning knows that a park is an excellent buffer between a residential area and an industrial area.

Ms. Sheehan recommended that Trustee Burch read the article that was in the Daily Herald about the property and to talk to Mr. Hilt.

Supervisor Tinerella asked Trustee Sullivan to give an update on the property. Trustee Sullivan stated that the property was purchased in closed session with a consensus of the board. The owner of the property was told and he took the property off the market. A contract has been written up and faxed to the office today and the property has been purchased.

The Supervisor stated that she has not seen any contract faxed or otherwise and to purchase property there has to be a closing and a contract and there has not been either.

**Dennis Abbott** a lifelong resident in Ela Township

Mr. Abbott wanted to comment on the Industrial Council letter.

1. Don't believe everything you read in the Newspaper.
2. He thought the Schuh property was an ideal place for a park and he had been out there three times in the past week and thought what a wonderful buffer this park would be.
3. People in the industrial park could use the park on their lunch hours.
4. Mr. Abbott is a member of the American Legion and VFW. He has talked to the tenth district from the Northern part of the State and they would like to be invited to dedication of the park.
5. Mr. Abbott suggested when discussing the levy be sure to levy enough as the price of gas and construction are constantly increasing.

At this time due to the large audience interested in the land purchase agenda item **14. Land Acquisition-presentation of land development.**

Trustee Burch read a statement to the audience and this statement will be added to the back of the minutes.

Trustee Burch stated that this was not a plan for land development as the Supervisor stated but a concept of a design that can be used at some time in the future.

Trustee Burch presented two drawings: The first of a community center/meeting rooms/concession/storage/training. This building could be built in any of the Ela Township Parks. The second one was one with new parking at Knox Park with access to route #22 another playing field and a berme along the west side of the property with room for future buildings.

No discussion or vote was needed after Trustee Burch conceptual presentation as this was not on the agenda.

Scott Puma, Ela Township Attorney went to podium and updated the Board on the land purchase.

Mr. Puma stated that they are currently negotiating and finalizing the terms of the contract so as to move forward on the land purchase.

Trustee Black is concerned that the Township may be overpaying for the property. She has seen no appraisal of this property. I think it is not wise for the Township to spend two million eight hundred fifty thousand dollars (\$2,850, 000) of Taxpayer money without an appraisal and a professional evaluation of this property for the possible uses that the Township may make of it.

Some things that Trustee Black would like answers to:

1. What is the appraised value of this property?

Trustee Black does not think that the Township should accept the Seller's own evaluation of his property, especially here when the Sellers' value seems to be based on Route 22 frontage. The highest and best use for the vast majority of this property is as Industrial Warehouse space.

When looking at the map of this area only a tiny portion of it is along Rt. 22. We should anticipate that this parcel will be sandwiched by a strip center along the front of it on Rt. 22 and the Industrial Park in the rear. The value of this piece should reflect that reality and not a valuation based on the Route 22 Buyout Amount used by IDOT. The highest and best value of this property should be determined by its use as an Industrial Park – and has anybody figured out what that is?

Again, an appraisal should be done before the Township agrees to spend Two million eight hundred fifty thousand dollars for the purchase of this land.

Also, we need to know:

2. How big are the wetlands? How much of the land floods?
  3. How much of the land is built able?
  4. How big of a building will we have? What will be housed in the building?
  5. How big of a parking lot? How much storm water detention will be required?
- How much land will be left over for athletic fields and other open space?

Let us not fool ourselves by trying to fit 10 pounds of different land uses into a bag that only holds 5 pounds!

When we were considering 60 acres there was more land for all these things. Now with just 17 acres, less than one third the size of the School District's land we were looking to purchase previously, for the same price, a Space Analysis is absolutely necessary.

We have the ability to perform due diligence and during that time we should require that an appraisal be done of this property, a preliminary plan be created for this property so that it can be determined whether the property is suitable for the uses identified in the plan, and that the Engineering studies can be done to determine if the land is build able according to the plan and that enough storm water detention is available to accommodate the improvements identified in the plan.

Supervisor Tinerella concurred to everything that Trustee Black had just read. Mainly because she had just received the contract and as of yet the Board had not seen it.

Trustee Burch just wanted tell the people that is why this Board has not accomplished anything in four years and you are giving the impression that is not a done deal. Supervisor Tinerella answer that it is not a done deal as the Township has not closed on the land.

Attorney Puma stated that the Board has voted to buy the property and now action to approve the contract.

Trustee Sullivan reminded the Board that they gave him the authority to find property and to bring the facts back to them and that is what he has done and if you have not taken the time to look at the facts than that is your fault. The Board voted to buy the property and the property was taken off the market. Trustee Sullivan hoped the Supervisor had a lot of money if she ever told the owner that this property was not a done deal.

Gerald O'Sullivan (collector and Tax payer in Ela Township) went to the podium to ask some questions based on the discussion he had just heard. Why is there such a rush to buy the property if there is no rush on a new senior center. The public opinion that the board received at the Special Town meeting told you that this is a big issue of spending two point eight million of our tax dollars. And to talk about real estate contract without an appraisal on something this size it would seem like someone is not doing their jobs. Also is there environmental in this contract?

At this time Ela Township Attorney interrupted to inform everyone that he was not going to debate about the land contract and that the contract would be discussed in closed session. If the audience wanted to go through the contract line by line than we can and we will be here for the next three hours.

Gerald O' Sullivan answered that when you make these decisions that if it is your money do what ever you want to but if it is our money there are issues that should be addressed.

Dennis Abbott went to podium and stated that he wanted to answer Mr. O' Sullivan. Twelve years ago he was president of the Lake Zurich Rural Fire Protection District and he listened to this nonsense and if he had listen to this same nonsense there would not have been the fire stations that are in place right now.

**5. Approval of Meeting Minutes: Special Board Meeting October 6<sup>th</sup> and October 14 and November 22 Board Meetings Closed Session for August 25<sup>th</sup> 2004**

Trustee Black's motion to approve the meeting minutes October 6<sup>th</sup> and October 14<sup>th</sup>, 2004, seconded by Trustee Burch. Roll Call: Trustees Black, Burch, and Sullivan all voted aye and the motion carried 3 to 1. Supervisor Tinerella voted nay as usual. Trustee Knudtson was absent.

The August 25<sup>th</sup> Executive session meeting minutes will be tabled until the Board has a chance to read them.

**6. Approval of Board Audit for Disbursements from 11/11/04 -12/8/04**  
**Board Audit**

**GEN TOWN      GEN ASSIST    GEN ROAD    PERM ROAD    PARK**

\$40,836.33	\$1,429.77	\$11,111.55	\$60,940.84	\$988.04	Vendor
\$63,265.34	0	\$260.08	\$14,595.77	0	Payroll
\$104,101.67	\$1,429.77	\$11,371.63	\$75,536.61	\$988.04	

**Total of all funds \$193,427.72**

Supervisor Tinerella's motion to approve the board audit 11/11/04- 12/08/04, seconded by Trustee Burch. Roll Call: Supervisor Tinerella, trustees Burch, Black, and Sullivan all voted aye and the motion carried 4 to 0.

**7. Line Item Transfers (as needed based on payment made week of 12/6)**

**GENERAL TOWN FUND**

<b><u>From</u></b>	<b><u>To</u></b>	<b><u>Amount</u></b>
13549 operate equip/supplies	13532 Telephone	\$500.00
13549 operate equip/supplies	13536 Travel Expense	\$500.00
15499 Foglia Youth Program	15562 Food/ treats	\$300.00

**GENERAL ASSISTANCE**

20701 Emer/gen. Assistance	20702 General Assistance	\$3000.00
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**PERMANENT ROAD FUND**

	40562 Operating Supplies	\$25.40
<b><u>PARK maintenance fund</u></b>		
50593 Park signs	50591 Lawn/field maintenance	\$1000.00

Supervisor Tinerella's motion to approve the line item transfers, seconded by Trustee Burch. Roll Call: Supervisor Tinerella, Trustees Burch, Black, and Sullivan all voted aye and the motion carried 4 to 0.

**8. Monthly Updates from Elected Officials & Department Heads**

**Supervisor Report**

1. Social Agency Funding notices have been published in the papers. Funding requests are intended for local organization programs that provide social services directly to the Township residents and for community services that would not be possible without financial assistance from the Township. Completed application forms are due back to the Township on January 5<sup>th</sup> before 5 p.m. This year funding of \$36,500 went to three agencies: Emmaus House of Hospitality \$10,000; Omni Youth Services 16,500; Special Recreation Association Central Lake County \$10,000. Have budgeted this year \$92,500 for local community services and year to date spending \$65,000 mostly to Lake Rural Fire District for defibrillators.
2. Budget process will begin next month.
3. Newsletter will go out in January.
4. Swalco is offering is offering a electrical pick up on January 29 and they will accept everything but Micro-waves oven and large appliances.

5. Financial Assistance: we are the arm of Salvation Army. We can assist up to \$750.00 one time.

**Finance-Trustee Sullivan** Had banking information that he will discussed in closed session.

He had found the information on what the surrounding property sold for on Telser road if anyone wanted to come forward and look at it.

Trustee Black stated that you had to look at the property itself and not the surrounding land.

**Parks- Trustee Burch** - referred to an invoice proposal from A.P. Electric dated May 2004 which this Board voted to accept the contract for \$3111.19 and the purpose was to install lighting at Knox Park to light up the American Flag. This involved trenching and the Highway Commissioner was going to do trenching to save funds and he has been waiting for a permit and A.P. Electric was waiting for us to get the permit and Trustee Burch wanted the Board to know that he authorized A.P. Electric to immediately apply for the permit and get the light in as Trustee Burch does not like seeing the American Flag flying without being lit up as that is disrespectful. Trustee Burch stated that he isn't blaming anyone but someone did forget to do their job as instructed by the Board.

**Youth and Family Services- Trustee Black**

Sue Neuschel and the Senior Program Staff did a wonderful job for our Senior Holiday Dinner. Sue is not at our meeting this evening because she is not feeling well.

Susan Kostner, our Township Social Worker, can not be here tonight because she is sitting for an exam she needs to take in order to maintain her professional status.

Trustee Black's information from Susan Kostner– for Month of November: Total of 127 Juvenile cases & 50 Adult cases.

Social Workers Report will be attached to the back of the minutes

Many Seniors already have appointments to get a Flu shot – but there is some additional vaccine that is available that the Lake County Health Dept. will have for walk-ins from 1:00pm to 3:00pm on December 17<sup>th</sup> Elia Township Senior Center/Foglia YMCA, 1025 Old McHenry Rd., Lake Zurich.

But in order to get the Flu Shot you must be in the following categories:

Children 6-23 months

Adults 65 years of age and older

Persons 2-64 years of age with underlying chronic medical conditions

Pregnant women

Healthcare workers

Caregivers or household contacts of children less than 6 months of age

Flu shots will be provided until supplies are gone. The Lake County Health Department maintains a flu vaccine hotline with updates on flu shot availability at 847-377-8480

### **Assessor-Hoffman Report**

Assessor Hoffman wanted to clarify the statement made by the Supervisor on the budgets being requested to be in by January. Her budget has been submitted since 1994 (since she has been the Assessor) on time in the Supervisor office by January as is the law.

The books are closed and the appeal process has begun and so far there have been less than 200 appeals. The activity on appeals this year is the lowest it has been in previous years. The Assessor has a book available in her office outlining property exemptions to anyone who would like a copy.

At this time the Assessor read three orchid letters lauding her staffs courteous and consideration in taking care of Taxpayers in her office.

### **Highway Commissioner-Kruckenberg**

1. One employee has resigned.
2. Hire a new replacement employee today so will not have a gap between employees.
3. Had two minor snow falls and snowplows have taken out a few mail boxes. And people should remember that if you have a mail box of great value please remove it in the winter time as the mail boxes that we replace them with are very poor quality.
4. Ela Township is now plowing the Deer Park fire Station and Cuba Township Highway Commissioner Gooch is plowing the fire station at route #22.

### **OLD BUSINESS**

#### **9. Procedure for the recording of Closed Meeting Sessions- action to formally adopt Ordinance #2004-15**

Trustee Burch's motion to approve Ordinance #2004-15- taping of Closed Session Meetings, seconded by Trustee Black. Roll Call: Trustees Burch, Black, Sullivan and Supervisor Tinerella, all voted aye and the motion carried 4 to 0.

Trustee Black had some more old business:

#### **Regarding Township Travel Reimbursement, Trustee Black stated:**

At the last Township Board Meeting, by a vote of 4 to 1, this Board approved expenses for Trustee Burch – that included items for 3 spouses. That action was not authorized according to our Township's Travel Reimbursement Policy, which was Approved October 11, 2001. That Policy provides:

“That spouses are responsible for his or her own transportation, lodging and meals” and that there is a maximum meal allowance of \$50 per day per Employee.

This Policy was unanimously passed by this Board and we should follow the Policy.

How can we ask Township Employees to follow this Policy – if Board Members do not follow the Policy?

Trustee Burch submitted meal expenses for Nov. 8, 2004 that included lunch meals for spouses and totaled \$127.33. Just the dinner alone was \$66.85 which by itself was above the \$50 per day limit!

Trustee Black will leave it to Trustee Burch to decide what should be done with the money he received in violation of the Township's Reimbursement Policy

On 11-8-04

Breakfast \$17.50

Lunch \$43.98 \$127.33

Dinner \$65.85 - 50.00

Total \$127.33 \$77.33 above in 1 day (which is over 2 1/2 times the daily \$50 allowance).

Trustee Black read the following:

Note: **Oct. 11, 2001 Ela Township Board Meeting**

On Page 4.

Agenda Item "9c. 94<sup>th</sup> Annual Educational Conference of Township Officials of IL

Trustee Burch's motion to establish a travel reimbursement policy as follow: The spouse is responsible for his or her own transportation, lodging and meals. A per diem meal allowance of \$50.00 per day will be allotted to the appointed employee, seconded by Trustee Black. Trustee Black, Burch, Knudtson and Supervisor Tinerella all voted aye and the motion carried. Trustee Sullivan was absent."

Trustee Burch answered that this was for all the Trustees as they took turns alternating buying lunches. He will immediately return that money as he is the one that made the motion as it was brought to his attention this week. Since he made the original motion he would know what it for.

This motion was made in reference to the Supervisor and her husband attending a chamber function and the intent of that motion was for any event that is non-Township that Officials are expected to attend being paid by the Township. He would like to remake the motion but he could not as it was not on the agenda.

Trustee Sullivan added that he has been attending Township functions since 1982 and at these conferences there are scheduled events for the spouses and Township has always paid for them.

Trustee Burch stated that motion was for local functions not TOI Conferences.



Highway Commissioner Kruckenberg told Trustee Burch that Clerk Prouty and Highway Commissioner were present at that lunch and he will be happy to reimburse him for the lunch.

The consensus of the board did not agree with Trustee Black on this reimbursement to Trustee Burch.

### **NEW BUSINESS**

#### **10. Tax Levy Ordinance #2004-17 for the Town of Ela- action to adopt ordinance**

Trustee Burch's motion to adopt the Tax Levy Ordinance # 2004-17 for the Town of Ela for \$1,691,450.00, corporate is \$495,000, Assessor \$370,00, Bus Service \$280,000, Adult and Senior Services \$272,000, Youth Services \$60,700, Social Services \$110,000, less Bus recoveries of \$133,000, less adult Services recoveries \$75,000, total for the General Town \$1,379,700, General Assistance \$23,750, Parks \$288,000, total of \$1,691,450, a 5% increase from last year which was \$41,611,266, seconded by Trustee Sullivan. Roll Call: Trustees Burch, Sullivan, Black and Supervisor Tinerella all voted aye the motion carried 4 to 0.

#### **11. Tax Levy Ordinance #2004-18 for Ela Township Road District- action to adopt ordinance**

Trustee Burch's motion to adopt Ordinance #2004-18 for Ela Township Road District for \$216,396.00, seconded by Trustee Sullivan. Roll Call: Trustee Burch, Sullivan, Black and Supervisor Tinerella all voted aye and the motion carried 4 to 0.

#### **12. PACE Para transit Service Agreement for 2005 - action to approve agreement and adopt Resolution #2004-07 for calendar year 2005 with PACE for Ela Township door to door bus service**

Trustee Burch's motion to approve the resolution #2004-07 for calendar year 2005 with PACE for Ela Township door to door service, seconded by Trustee Sullivan. Roll Call: Trustees Burch, Sullivan, Black and Supervisor Tinerella all voted aye and the motion carried 4 to 0.

#### **13. Township Board Meeting - action to approve and publish monthly meeting dates for 2005**

Trustee Burch's motion to approve the monthly meeting dates for 2005, seconded by Supervisor Tinerella. Roll Call: Trustees Burch, Black, Sullivan and Supervisor Tinerella all voted aye and the motion carried 4 to 0.

Discussion on changing the regular January Board meeting to accommodate Trustee Knudtson schedule and the board was in consensus to move the meeting to the 19<sup>th</sup> of January and this was pending on Trustee Black checking her schedule to see if she is available.

#### **14. Land Acquisition- presentation of land development**

This Agenda item was moved up and discussed previously in the meeting.

**15. Community Center Bldg. For Knox Park- discussion of needs and estimated costs to construct**

This also was moved up and discussed previously on the agenda.

**16. Closed Executive Session- for the purpose of land acquisition**

**At 9:10p.m.**

Trustee Burch's motion to enter into closed executive session for the purpose of discussing land acquisition, seconded by Trustee Sullivan. Roll Call: Trustees Burch, Sullivan, Black and Supervisor Tinerella all voted aye and the motion carried 4 to 0.

**17. Return to Open Meeting-discussion and possible action on items discussed in closed session.**

Trustee Black's motion for the Township to conduct an appraisal of the property, obtain a preliminary plan for the property and perform the Engineering tests necessary to determine if improvements shown on the plan can be built on the property and that enough storm water detention is available to accommodate the improvements identified in the plan. No second and the motion did not pass.

Supervisor Tinerella commented that she would like the board to receive formal copies of the recent sales of adjacent properties sold for around the Schuh property.

Supervisor Tinerella also thought that any Real Estate agent could supply the board with the information that Trustee asked for in her motion.

**18. Adjournment**

**At 10:03 p.m.**

Trustee Burch's motion to adjourn at 10:03 p.m., seconded by Trustee Sullivan. Roll Call: Trustees Burch, Sullivan, Black and Supervisor Tinerella all voted aye and the motion carried 4 to 0.

*Lucy Prouty*

Ela Township Clerk